

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	02: 05-cv-0404
)	
NOVARTIS PHARMACEUTICALS)	
CORPORATION,)	
)	
Defendant.)	

ORDER OF COURT

Presently pending before the Court for disposition is the MOTION TO STRIKE DEFENDANT’S BILL OF COSTS PURSUANT TO F.R.C.P. 54(d) filed by Plaintiff (Document No. 111) and the Brief in Opposition filed by Defendant (Document No. 112).

Plaintiff argues that the verified Bill of Costs filed by Defendant should be stricken because same was not timely filed. The Bill of Costs submitted by Defendant was filed on an AO133 standard form, was not in the form of a motion, and did not request attorney’s fees under Federal Rule of Civil Procedure 54(d)(2). There is no time limit to file a Bill of Costs under the Federal Rules of Civil Procedure nor is there a Local Rule for the Western District of Pennsylvania which establishes a time limit for the filing of a Bill of Costs. Accordingly, the Motion to Strike Defendant’s Bill of Costs is **DENIED**.

So **ORDERED** this 21st day of January, 2009.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

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